

# EXHIBIT 13

Page 1

Page 3

1 UNITED STATES BANKRUPTCY COURT  
 2 DISTRICT OF NEW JERSEY  
 3  
 4 In Re: Chapter 11 )  
 ) Case No. 21-30589  
 5 LTL MANAGEMENT, LLC, ) (MBK)  
 )  
 6 Debtor. )  
 7  
 8  
 9  
 10  
 11  
 12  
 13 VIDEO RECORDED EXAMINATION OF  
 14 JAMES MURDICA

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 2  
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14  
 15 TAKEN ON  
 16  
 17 SUNDAY, APRIL 16, 2023

18  
 19  
 20  
 21  
 22  
 23 CERTIFIED STENOGRAPHER:  
 24 JESSIE WAACK, RDR, CRR, CCRR, NYRCR, NYACR,  
 CCR-NJ (No. 30XI008238700) CSR-TX (No. 11958)  
 25 CCR-WA (No. 21007264), CSR-CA (No. 14420),  
 REALTIME SYSTEMS ADMINISTRATOR  
 26 JOB NO.: 893549

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 2  
 3 VIDEO RECORDED EXAMINATION of  
 4 JAMES MURDICA, taken before JESSICA R. WAACK,  
 5 Registered Professional Reporter, Registered  
 6 Merit Reporter, Certified Realtime Reporter,  
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 8 Certified Realtime Reporter, New Jersey  
 9 Certified Court Reporter (License No.  
 10 30XI008238700); Texas Certified Shorthand  
 11 Reporter (License No. 11958); Washington  
 12 State Certified Court Reporter (License No.  
 13 21007264); California Certified Shorthand  
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 17 Washington, D.C. and the States of New York,  
 18 Pennsylvania, Delaware, Maryland and  
 19 Virginia, at Skadden, Arps, Slate, Meagher &  
 20 Flom, LLP, One Manhattan West, New York, New  
 21 York, on Sunday, April 16, 2023, commencing  
 22 at 1:26 p.m. and concluding at 6:32 p.m.

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1 A P P E A R A N C E S	1 A P P E A R A N C E S
2	2
3 REMOTELY ON BEHALF OF VARIOUS TALC	3 REMOTELY AS CO-COUNSEL FOR THE AD HOC
4 CLAIMANTS:	4 COMMITTEE OF CERTAIN TALC CLAIMANTS:
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1 A P P E A R A N C E S	1 A P P E A R A N C E S
2	2
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2			2 WITNESS: JAMES MURDICA		
3 REMOTELY FOR THE DEBTOR:			3		
4 JONES DAY			4 EXAMINATION PAGE		
5 BY: DAVID TORBORG, ESQ.			5 BY MR. WINOGRAD 18		
6 51 Louisiana Avenue NW			6 BY MR. MAIMAN 139		
7 Washington, DC 20001			7 BY MR. SATTERLEY 214		
8 PHONE: 202-879-3939			8 BY MS. RICHENDERFER 263		
9			9 BY MR. PLACITELLA 279		
10 FOR MESOTHELIOMA CREDITORS:			10 BY MR. THOMPSON 296		
11 KAZAN, MCCLAIN, SATTERLEY & GREENWOOD			11		
12 BY: JOSEPH SATTERLEY, ESQ.			12 INDEXED PAGES		
13 BY: STEVEN KAZAN, ESQ. (Remotely)			13		
14 55 Harrison Street, Suite 400			14 JAMES MURDICA, sworn 18		
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16 PHONE: 510-302-1000			16 INSTRUCTIONS TO WITNESS 307		
17			17 DECLARATION UNDER PENALTY OF PERJURY 308		
18 REMOTELY ON BEHALF OF VARIOUS TALK			18 ERRATA SHEET 309		
19 CLAIMANTS:			19		
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25			25		
Page 14			Page 16		
1 A P P E A R A N C E S			1 INDEX TO EXHIBITS		
2			2 WITNESS: JAMES MURDICA		
3 APPEARING REMOTELY ON BEHALF OF TORT			3 Sunday, April 16, 2023		
4 CLAIMANTS AND THE STATE OF NEW MEXICO:			4 MARKED DESCRIPTION PAGE		
5 NACHAWATI LAW GROUP			5 Exhibit 1 Voluntary Petition for		
6 BY: MAJED NACHAWATI, ESQ.			6 Non-Individuals Filing for		
7 5489 Blair Road			7 Bankruptcy 31		
8 Dallas, Texas 75231			8 Exhibit 2 Voluntary Petition for		
9 PHONE: 866-705-7584			9 Non-Individuals Filing for		
10			10 Bankruptcy 33		
11 ALSO PRESENT			11 Exhibit 3 Term Sheet 64		
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16 MORTON BRANZBURG			16 April 11, 2023 199		
17 KENNETH ROSEN			17		
18 JUAN TORRES, Zoom operator			18 ** All exhibits were attached to the		
19 LARRY MOSKOWITZ, videographer			19 original transcript **		
20			20		
21			21 --oo--		
22			22		
23			23		
24			24		
25			25		

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1	***** PROCEEDINGS April 16, 2023, 1:26 p.m. New York, New York *****	1 A. <b>I don't remember.</b> 2 Q. I just want to go through a few 3 ground rules. 4 You're testifying under oath? Do 5 you realize that? 6 A. <b>Yes.</b> 7 Q. Please give verbal answers, no 8 nods. If you don't understand a question, 9 please ask me. I'll ask. I want to make 10 sure we are clear about the questions. 11 If you need a break, please let 12 me know. 13 Is there any reason -- are you 14 okay with all those? 15 A. <b>Yes.</b> 16 Q. And is there any reason that you 17 can't give complete and truthful testimony 18 today? 19 A. <b>No.</b> 20 Q. What did you do for -- to prepare 21 for today's deposition? 22 MS. BROWN: I'll just caution 23 you, Jim, obviously don't reveal any 24 conversations with counsel. 25 <b>THE WITNESS: I spoke with</b>
1	Page 18	Page 20
1	***** JAMES MURDICA, sworn on oath and/or affirmed, called as a witness herein, was examined and testified as follows: ***** EXAMINATION BY MR. WINOGRAD: Q. Good afternoon, Mr. Murdica. A. <b>Good afternoon.</b> Q. My name is Mike Winograd from Brown Rudnick. We are proposed counsel to the official committee in the new bankruptcy. Can you just state your name for the record, please. A. <b>Jim Murdica.</b> Q. And have you been deposed before? A. <b>I have.</b> Q. I just want to go through, about how many times? A. <b>Once.</b> Q. And in what case was that? A. <b>It involved a discovery dispute.</b> Q. What was the case?	1 <b>Ms. Brown for about an hour. And I got</b> 2 <b>down here, had a smoothie, and now I'm</b> 3 <b>sitting in front of you.</b> 4 BY MR. WINOGRAD: 5 Q. When did you speak with 6 Ms. Brown, without going into the 7 substance? 8 A. <b>Just now.</b> 9 Q. Today? 10 A. <b>Yeah.</b> 11 Q. And are you aware that there were 12 other depositions in this case that have 13 taken place already? 14 A. <b>I am.</b> 15 Q. And did you listen to any of 16 those? 17 A. <b>I did.</b> 18 Q. Which ones? 19 A. <b>All of them.</b> 20 Q. So you listened to Mr. Haas? 21 A. <b>I did.</b> 22 Q. And Mr. Kim? 23 A. <b>Yes.</b> 24 Q. Mr. Pulaski? 25 A. <b>Yes.</b>

<p style="text-align: right;">Page 233</p> <p>1     <b>A. Not intentionally.</b></p> <p>2         MS. BROWN: Objection. Vague.</p> <p>3     BY MR. SATTERLEY:</p> <p>4         Q. But regardless, other than the</p> <p>5     Zoom meetings where you got some oral</p> <p>6     feedback, there's not any written changes</p> <p>7     to the term sheet that we can look at to</p> <p>8     see any sort of negotiations, right?</p> <p>9         <b>A. Well, you can ask Mr. Watts</b></p> <p>10   <b>tomorrow what he remembers asking me to</b></p> <p>11   <b>change.</b></p> <p>12         Q. I understand I can do that. I</p> <p>13         probably will do that.</p> <p>14         But my question to you is, are</p> <p>15         you aware of any --</p> <p>16         <b>A. I already answered it.</b></p> <p>17         Q. Okay. You're not aware of any</p> <p>18         written changes --</p> <p>19         <b>A. Not --</b></p> <p>20         Q. -- right? Okay --</p> <p>21         <b>A. I'm not.</b></p> <p>22         Q. -- super.</p> <p>23         Now, let me just ask you on</p> <p>24     December the 28th of 2022, the debtor filed</p> <p>25     a motion asking for several folks' funding</p>	<p style="text-align: right;">Page 235</p> <p>1         I don't have that concern with</p> <p>2     <b>Mr. Onder or Mr. Nachawati, which is why</b></p> <p>3     <b>they're in support of the plan. Clearly</b></p> <p>4     <b>they don't have that problem.</b></p> <p>5         Q. Have you and Mr. Onder talked</p> <p>6         about Fortress Financial lending?</p> <p>7         <b>A. I know that Fortress is a company</b></p> <p>8     <b>that has interest in talc litigation. Who</b></p> <p>9     <b>they're behind, I don't know. And you</b></p> <p>10   <b>should ask the members of your committee.</b></p> <p>11         MR. SATTERLEY: Move to strike.</p> <p>12     BY MR. SATTERLEY:</p> <p>13         Q. First of all, Mr. Onder is not a</p> <p>14         member of the committee, so let me just --</p> <p>15         <b>A. I'm talking about the members of</b></p> <p>16   <b>your committee that have funding --</b></p> <p>17         Q. Counsel --</p> <p>18         (Simultaneous unreportable</p> <p>19         crosstalk occurs among parties.)</p> <p>20         (Stenographer requests one</p> <p>21         speaker at a time.)</p> <p>22         MR. MAIMAN: He's got his</p> <p>23         speeches that he wants to give.</p> <p>24     BY MR. SATTERLEY:</p> <p>25         Q. Mr. Murdica, my question was, did</p>
<p style="text-align: right;">Page 234</p> <p>1     agreements, litigation funding agreements.</p> <p>2         You're familiar with that,</p> <p>3     correct?</p> <p>4         <b>A. Yes.</b></p> <p>5         Q. Did you, with any of these</p> <p>6     attorneys that have signed the -- a PSA,</p> <p>7     did you at any point in time ask for them</p> <p>8     to provide you litigation funding</p> <p>9     information?</p> <p>10   <b>A. Other than the motion that you're</b></p> <p>11   <b>referring to, no.</b></p> <p>12         Q. And the motion that was filed way</p> <p>13     back in December had -- and specifically</p> <p>14     had in that motion that Mr. Onder had 9,640</p> <p>15     claims and Fears Nachawati had 3500 claims,</p> <p>16     at any point in time, did you ask</p> <p>17     Mr. Fond -- Onder or the Fears Nachawati</p> <p>18     firm anything about their litigation</p> <p>19     funding?</p> <p>20   <b>A. I didn't need to, because as</b></p> <p>21   <b>you've seen, their clients are in support.</b></p> <p>22   <b>The concern that I had personally was that</b></p> <p>23   <b>I believed that the Beasley firm is not</b></p> <p>24   <b>able to say yes to any deal, because</b></p> <p>25   <b>they're way too deep in debt from funding.</b></p>	<p style="text-align: right;">Page 236</p> <p>1     you and Mr. Onder talk about Fortress</p> <p>2     Financial's role in funding his cases?</p> <p>3         <b>A. No.</b></p> <p>4         Q. Did you, before you put in Archer</p> <p>5     as the -- as the lien resolution and</p> <p>6     administrator of this -- on this term</p> <p>7     sheet, did you research Archer's role with</p> <p>8     Fortress Financial?</p> <p>9         MS. BROWN: Objection. Don't</p> <p>10         answer.</p> <p>11         MR. SATTERLEY: Don't answer</p> <p>12         under what basis?</p> <p>13         MS. BROWN: Under the basis that</p> <p>14         it would implicate his work as a</p> <p>15         litigation attorney in this case.</p> <p>16     BY MR. SATTERLEY:</p> <p>17         Q. Do you know Fortress Financial's</p> <p>18         relationship to Archer?</p> <p>19         <b>A. I do.</b></p> <p>20         Q. And what is that relationship?</p> <p>21         <b>A. That's -- I don't think that's</b></p> <p>22         <b>relevant to this or mine to tell. Archer</b></p> <p>23         <b>is in there as a placeholder for a lien</b></p> <p>24         <b>resolution company, because they do a good</b></p> <p>25         <b>job.</b></p>

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1       MR. MAIMAN: We disagree and I  
 2 would just note that in the -- as  
 3 expressed by the U.S. Trustee, there  
 4 were no harassing questions. We  
 5 understand --

6       (Simultaneous unreportable  
 7 crosstalk occurs among parties.)

8       MR. THOMPSON: Just I don't know  
 9 if this got noted. But I join on  
 10 behalf of Maune Raichle all the  
 11 statements made Mr. Maiman and  
 12 Mr. Satterley and by Mr. Winograd.

13       MS. BROWN: Okay. We're off the  
 14 record.

15       THE VIDEOGRAPHER: We are going  
 16 off the record.

17       The time is 6:32 p.m.

18       (Time noted: 6:32 p.m.)

19

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1                   INSTRUCTIONS TO WITNESS

2  
 3                   Please read your deposition over  
 4 carefully and make any necessary  
 5 corrections. You should state the reason  
 6 in the appropriate space on the errata  
 7 sheet for any corrections that are made.

8                   After doing so, please sign the  
 9 errata sheet and date it.

10                  You are signing same subject to  
 11 the changes you have noted on the errata  
 12 sheet, which will be attached to your  
 13 deposition.

14                  It is imperative that you return  
 15 the original errata sheet to the deposing  
 16 attorney within thirty (30) days of  
 17 receipt of the deposition transcript by  
 18 you. If you fail to do so, the deposition  
 19 transcript may be deemed to be accurate  
 20 and may be used in court.

21

22

23

24

25

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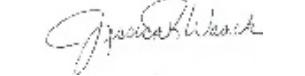
1                   REPORTER CERTIFICATE

2       I, the undersigned, do hereby certify:  
 3       That JAMES MURDICA was by me duly sworn  
 4 in the within-entitled cause; that said  
 5 deposition was taken at the time and place  
 6 herein named; and that the deposition is a  
 7 true record of the witness's testimony as  
 8 reported by me, a disinterested person, and  
 9 was thereafter transcribed.

10       I further certify that I am not  
 11 interested in the outcome of the said  
 12 action, nor connected with, nor related to  
 13 any of the parties in said action, nor to  
 14 their respective counsel.

15       IN WITNESS WHEREOF, I have hereunto set  
 16 my hand this 17th day of April, 2023.

17       Signature: Requested\_Waived\_X Not Requested



20

21       JESSICA R. WAACK  
 22       Registered Diplomate Reporter  
 23       Certified Realtime Reporter  
 24       California Certified Realtime Reporter  
 25       New York Realtime Court Reporter  
 26       New York Association Court Reporter  
 27       Notary Public, State of New York  
 28       CCR-NJ (No. 30XI008238700) CSR-TX (No. 11958)  
 29       CCR-WA (No. 21007264), CSR-CA (No. 14420)

1                   DECLARATION UNDER PENALTY OF PERJURY

2       IN RE LTL BANKRUPTCY  
 3       Date of Deposition: April 16, 2023

4

5

6       I, JAMES MURDICA, hereby certify  
 7 under penalty of perjury under the laws of  
 8 the State of \_\_\_\_\_ that the  
 9 foregoing is true and correct.

10

11       Executed this \_\_\_\_\_ day of \_\_\_\_\_, 2023,  
 12 at \_\_\_\_\_.

13

14

15       \_\_\_\_\_  
 16       JAMES MURDICA

17

18       SUBSCRIBED AND SWORN BEFORE ME  
 19       THIS \_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_\_  
 20       \_\_\_\_\_

21       NOTARY PUBLIC

22       MY COMMISSION EXPIRES: \_\_\_\_\_  
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